

PATENT
SERIAL NO. WFU 93-04

(iv) reduced pressure supply means operably connected with the cover for connection with the vacuum system for supplying and maintaining said reduced pressure to the wound.

REMARKS

Claims 1-79 are pending in the application; claims 1-79 are rejected.

REJECTIONS UNDER 35 U.S.C. 112

Claims 2, 7, 8, 34, 38, 44, 52, 54, 55, and 60 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Applicants' cancellation of claims 1-37 render the rejection of claims 2, 7, 8, and 34 moot. The remaining rejected claims 38, 44, 52, 54, 55 and 60 have been amended in accordance with the Examiner's suggestions, and are deemed allowable.

REJECTIONS UNDER 35 U.S.C. 101

Claims 16-18, 25, and 28 are rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 13-15, 31, and 32 of U.S. Patent No. 5,636,643. Applicants' cancellation of claims 1-37 render the rejection moot.

REJECTIONS UNDER JUDICIAL DOUBLE PATENTING

Claims 1-15, 19-24, 26-27, and 29-79 are rejected under the judicially created doctrine of double patenting over claims 1-12, 16-30, and 33-40 of U.S. Patent No. 5,636,643. Applicants' cancellation of claims 1-37 render the rejection to these claims moot and the

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enclosed Terminal Disclaimer is deemed to overcome the rejection of claims 38-79 based on judicial double patenting.

REJECTIONS UNDER 35 U.S.C. 102

The Examiner has rejected claims 31-36 under 35 U.S.C. 102(b) as being anticipated by U.S. 3,520,300 (“Flower et al.”) or DE 847,475 (“Wustmann”), claims 1-4, 8, 12, 14-16, 19, 22, and 31-37 under 35 U.S.C. 102(b) as being anticipated by U.S. 4,382,441 (“Svedman”), and rejected claims 1, 8, 12, 14, 16, and 22 under 35 U.S.C. 102(b) as being anticipated by U.S. 3,874,387 (“Barbieri”). Applicants’ cancellation of claims 1-37 renders these rejections moot.

REJECTIONS UNDER 35 U.S.C. 103

The Examiner has rejected claims 9, 11, 13, 17, 20-21, and 23-24 under 35 U.S.C. 103(a) as being unpatentable over Svedman in view of Flower et al., and claims 9, 11, 13, 17, 20, and 23-24 under 35 U.S.C. 103(a) as being unpatentable over Barbieri in view of Svedman. Applicants’ cancellation of claims 1-37 renders these rejections moot.

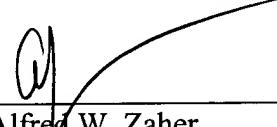
Remaining claims 38-79, have been amended to overcome the rejection under USC § 112 according to the Examiner’s suggestions, are now deemed allowable. A notice of allowance

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of these claims is respectfully requested. The Examiner is invited to telephone the undersigned in the event that a telephone interview will advance prosecution of this application.

Respectfully submitted,

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